THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17202 of 2005

DATED: 04-08-2005

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Between:

1. Tydula Ramulamma, W/o. LateLaxmaiah,

R/o. Rajapangidigudam,

Dwaraka Tirumala Mandal,

West Godavari District and another …..Petitioners

AND

1. The District Collector, West Godavari District,

Eluru and four others. ….Respondents

THE HON'BLE SRI JUSTICE ELIPE DHARMA RAO

WRIT PETITION No.17202 of 2005

O R D E R:

The writ petition is filed questioning the action of the District Collector, West Godavari District, Eluru-the first respondent in not considering the representation dated 11-03-2005 submitted by the petitioners and not cancelling the D-form patta issued in favour of the fifth respondent and also to declare the action of the fifth respondent in interfering with the petitioners' peaceful possession and enjoyment of the land in an extent of Ac.2.67 cents in Sy.No.407/1 and 403/4 in

Rajapangidigudam village, Dwarka Tirumala mandal, West Godavari district as illegal and arbitrary.

It is the case of the petitioners that the Mandal Revenue Officer, Dwaraka, Tirumala Mandal- the fourth respondent granted pattas in favour of Tydula Laxmaiah, who is the husband of the first petitioner and father of the second petitioner to an extent of Ac.0.69 cents in Sy.No.407/1 and also Ac.1.98 cents of land in Sy.No.403/4 and also granted pattadar pass book. In the year 2002, the said Laxmaiah died and the petitioners were cultivating the land. While the matter stood thus, the D-Form patta granted in favour of the petitioners was cancelled allotting the same to the fifth respondent without issuing any notice to the petitioners. Hence, they approached the first respondent by filing a detailed representation dated 11-03-2005 stating that D-form patta was granted in favour of the fifth respondent, in respect of the land, which was already assigned to them without any prior notice being issued to them. But, the first respondent had not passed any orders so far. Therefore, the present writ petition has been filed.

Heard learned counsel for the petitioner as well as learned Government Pleader for Revenue.

Having regard to the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to dispose of the writ petition, at the stage of admission, with a direction to the first respondent to consider the representation dated 11-03-2005 submitted by the petitioners and pass appropriate orders, in accordance with law, within a period of twelve (12) weeks from the date of receipt of a copy of this order. There shall be no order as to costs.

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04.08.2005

kdl